



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,146	09/27/2001	William M. Houston	END920010069US1	6257

5409 7590 01/26/2005

ARLEN L. OLSEN
SCHMEISER, OLSEN & WATTS
3 LEAR JET LANE
SUITE 201
LATHAM, NY 12110

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/965,146	Applicant(s) HOUSTON ET AL.	
	Examiner Etienne P LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Status:

Claims 1-23 are pending. Claims 1-23 are rejected as detailed below.

Claim Objections

Claims 1, 12 and 23 are objected to because of the following informality: Claims 1, 12 and 23 recite "a dynamically changing list of control documents." Reference to Figure 1, shows that applicant is actually claiming a dynamically changing list of updates to database records. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10 and 21 contain the trademark/trade name Lotus-script, Lotus-Domino software and Lotus Notes databases.¹ Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd.

¹ The MPEP requires claims to be interpreted according to the specification and thus L-script is interpreted as Lotus-script, LD-software is interpreted as Lotus Domino software and LN databases is interpreted as Lotus Notes databases.

Art Unit: 2161

App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe information sharing in a distributed environment and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 7, 8, 12-14, 18, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,625,648 to Schwaller et al (hereafter Schwaller) in view of US Pat No 6,240,414 to Beizer et al (hereafter Beizer).

Art Unit: 2161

Claims 1, 12 and 23:

Schwaller discloses generating a dynamically changing list of control documents [Schwaller, work queue, col 11, lines 10-30, Fig 3, responsive to user inputs from GUI 58] but does not disclose processing by a first agent a first approved control document on the list. Beizer discloses processing by a first agent a first approved control document on the list [user with proper authority, col 17, lines 40-45]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwaller to include processing by a first agent a first approved control document on the list as taught by Beizer for the purpose of controlling versioning of a data object. The skilled artisan would have been motivated to improve the invention of Schwaller per the above such that conflicts in proposed updating of a data object can be resolved thereby maintaining integrity of data [Beizer, Fig 5, col 17, lines 17-34].

The combination of Schwaller and Beizer discloses wherein processing the first approved control document includes causing executing at least one task on the first approved control document [forwarded to agent, Schwaller, col 11, lines 10-30].

The combination of Schwaller and Beizer discloses wherein executing a task on the first approved control document includes updating the database structure [Schwaller, Fig 3, 50].

Claims 2 and 13:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above and furthermore, Schwaller discloses generating the list [col 11, lines 25-30] but does not disclose accessing the view by the first agent prior to processing the first approved control document. Beizer discloses accessing the view by the first agent prior to processing the first approved control document [Fig 6]. It would have been obvious to one of ordinary skill in the art

Art Unit: 2161

at the time the invention was made to modify Schwaller to include accessing the view by the first agent prior to processing the first approved control document as taught by Beizer for the purpose of displaying the list to a user with proper authority [Beizer, col 17, lines 40-45]. The skilled artisan would have been motivated to improve the invention of Schwaller per the above such that conflicts in proposed updating of a data object can be resolved thereby maintaining integrity of data [Beizer, Fig 5, col 17, lines 17-34].

Claims 3 and 14:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above and furthermore, wherein executing a first task on the first approved control document includes executing the first task by the first agent [Schwaller, col 17, lines 10-30].

Claims 7 and 18:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above, however, Schwaller does not disclose executing a first task on the first approved control document includes updating a plurality of databases of the database structure. Beizer discloses executing a first task on the first approved control document includes updating a plurality of databases of the database structure [col 4, lines 51-65]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwaller to include executing a first task on the first approved control document includes updating a plurality of databases of the database structure as taught by Beizer for the purpose of accommodating a distributed storage system [Beizer, col 4, line 56]. The skilled artisan would have been motivated to improve the invention of Schaller per the above such that provision can be made for a LAN [Beizer, col 4, line 59].

Art Unit: 2161

Claims 8 and 19:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above, however, Schwaller does not disclose executing a first task on the first approved control document includes updating a first database of the database structure, and wherein executing a second task on the first approved control document includes updating a second database of the database structure. Schwaller discloses a work queue [Schwaller col 11, line 29] and Beizer discloses distributed storage system [Beizer, col 4, line 56]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include executing a first task on the first approved control document includes updating a first database of the database structure, and wherein executing a second task on the first approved control document includes updating a second database of the database structure for the purpose of making allowances for a conventional intranet [Beizer, col 4, line 59]. The skilled artisan would have been motivated to improve the combination of Schwaller and Beizer per the above such that a first database and a second database in a distributed environment can be successfully updated.

Claims 4, 6, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Schwaller and Beizer and further in view of US Pat No 6,718,330 to Zenner (hereafter Zenner).

Claims 4 and 15:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above, but does not disclose executing a first task on the first approved control document

Art Unit: 2161

includes directly calling a second agent by the first agent and executing the first task by the second agent. Zenner discloses executing a first task on the first approved control document includes directly calling a second agent by the first agent and executing the first task by the second agent [Zenner, col 3, lines 1-3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include executing a first task on the first approved control document includes directly calling a second agent by the first agent and executing the first task by the second agent as taught by Zenner for the purpose getting the task accomplished sooner [Zenner, col 3, lines 1-3]. The skilled artisan would have been motivated to modify the combination of Schwaller and Beizer per the above such that an equitable work load can be maintained across the agent group [Zenner, abstract].

Claims 6 and 17:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above but does not disclose processing by a second agent a second approved control document on the list, wherein processing the second approved control document includes causing executing at least one task on the second approved control document, and wherein executing a task on the second approved control document includes updating the database structure. Zenner discloses executing a first task on the first approved control document includes directly calling a second agent by the first agent and executing the first task by the second agent [Zenner, col 3, lines 1-3] and Schwaller discloses a work queue [Schwaller col 11, lines 25-30]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer include processing by a second agent a

Art Unit: 2161

second approved control document on the list, wherein processing the second approved control document includes causing executing at least one task on the second approved control document, and wherein executing a task on the second approved control document includes updating the database structure as taught by Zenner for the purpose getting the task accomplished in the shortest possible time [Zenner, col 3, lines 1-3]. The skilled artisan would have been motivated to modify the combination of Schwaller and Beizer per the above for the purpose of maintaining an equitable work load across the agent group, Zenner, abstract].

Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Schwaller and Beizer and further in view of US Pat No 6,314,089 to Szlam et al (hereafter Szlam).

Claims 5 and 16:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above, but disclose wherein executing a first task on the first approved control document includes indirectly calling a second agent by the first agent and executing the first task by the second agent. Szlam discloses wherein executing a first task on the first approved control document includes indirectly calling a second agent by the first agent and executing the first task by the second agent [first agent calls a second agent which calls a third agent, Szlam, col 11, lines 10-20].² It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include executing a first task on the first approved control document includes indirectly calling a second agent by the

² The specification defines indirectly calling as a first agent which calls a second agent which calls a third agent.

Art Unit: 2161

first agent and executing the first task by the second agent as taught by Szlam for the purpose of sharing information [Szlam, col 11, lines 10-20]. The skilled artisan would have been motivated to modify the combination of Schwaller and Beizer per the above for the purpose of sharing information such that the customer of interest can be better served [Szlam, col 11, lines 10-20].

Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Schwaller and Beizer and further in view of US Pat No 5,548,506 to Srinivasan (hereafter Srinivasan).

Claims 9 and 20:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted above except for a first task and a second task on the first approved control document are not independent. Srinivasan discloses a first task and a second task on the first approved control document are not independent [Srinivasan, col 7, lines 62-67, Fig 7]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include a first task and a second task on the first approved control document are not independent as taught by Srinivasan for the purpose of controlling starting and completion of a task [Srinivasan, col 7, lines 62-67, Fig 7]. The skilled artisan would have been motivated to improve the combination of Schwaller and Beizer per the above for the purpose of assisting the project/task leader of the need for possible reallocation of resources [Fig 7].

Art Unit: 2161

Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Schwaller and Beizer and further in view of US Pat No 5,548,506 to Srinivasan (hereafter Srinivasan).

Claims 10 and 21:

The combination of Schaller and Beizer discloses the elements of claims 1 and 12 as noted above except for the first agent is a L-script operating within a L-D software environment, and wherein the database structure includes LN-databases. Burgess discloses the first agent is a L-script operating within a L-D software environment, and wherein the database structure includes LN-databases [paragraph 29]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include the first agent is a L-script operating within a L-D software environment, and wherein the database structure includes LN-databases as taught by Burgess for the purpose of converting groupware documents into HTML files [paragraph 69].

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Schwaller and Beizer and further in view of US Pat No 4,677,588 to Benjamin et al (hereafter Benjamin).

Claim 11 and 22:

The combination of Schwaller and Beizer discloses the elements of claim 1 as noted above except for executing a first task on the first approved control document includes replacing a name of a first person with a name of a second person in a plurality of databases of the database structure. Benjamin discloses executing a first task on the first approved control

Art Unit: 2161

document includes replacing a name of a first person with a name of a second person in a plurality of databases of the database structure [claim 6]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Schwaller and Beizer to include executing a first task on the first approved control document includes replacing a name of a first person with a name of a second person in a plurality of databases of the database structure as taught by Benjamin for the purpose of replacing alias names with real names.

Response to Arguments

Applicant's arguments filed 8/9/2004 have been considered but they are not fully persuasive. Examiner is not persuaded by the arguments presented by the applicant, nevertheless, above new art rejection is made such that prosecution may be advanced by hopefully, minimizing arguments regarding semantics, especially with respect to "generating a dynamically changing list of control documents" which is interpreted by examiner to be a dynamically changing list of updates to database records.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.


Art Unit: 2161

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

1/12/2005


WAYNE AMSBURY
PRIMARY PATENT EXAMINER